

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIM. NO. 04-10299-PBS
	)	
ROBERTO SOLORIO,	)	
DANIEL AGUILAR, and	)	
PHILIP ASARO	)	

JOINT ASSENTED-TO MOTION TO CONTINUE TRIAL

Counsel for the defendants Roberto Solorio, Daniel Aguilar, and Philip Asaro respectfully move to continue the trial in this case. Counsel for the government, Assistant United States Attorneys Neil Gallagher and Sandra Bower, assent to the granting of this motion. The case is currently set for trial on February 27, 2006.

As grounds for this motion, counsel for Mr. Solorio states that her trial commitment in the case of United States v. James Reid, no. 04-10031-WGY, has interfered with her ability to prepare this case adequately for trial. Specifically, the Reid case is set for trial on February 6, 2006, and counsel has spent most of the last month preparing for this trial.<sup>1</sup> If the Reid case proceeds to trial as scheduled, it will likely last two weeks, leaving Solorio's counsel very little time to prepare for trial in this matter. Additionally, Solorio's counsel has a

---

<sup>1</sup> Reid is charged with mail and wire fraud. Discovery in the case has run to thousands of pages and the Jencks material is voluminous as well.

brief due to be filed in the Court of Appeals for the First Circuit in the case of United States v. Holloway, no. 05-2229 on February 27, 2006; counsel does not expect to be granted an extension of time to file the Holloway brief. Mr. Solorio is not in custody and would not be prejudiced by a continuance of this trial. Moreover, counsel for Solorio, Aguilar, and Asaro would agree to excluding all of the continuance period under the Speedy trial Act as excludable delay in the interest of justice. Counsel is aware that this court has continued the trials of some of the codefendants in this case until July 10, 2006.

In light of the foregoing, counsel request that the trial in this matter be continued to a date after April 1, 2006.

Respectfully submitted,

ROBERTO SOLORIO  
By his attorney,

/s/ Syrie D. Fried  
Syrie D. Fried  
B.B.O. #555815  
Federal Defender Office  
408 Atlantic Avenue, 3rd Floor  
Boston, MA 02110  
Tel: 617-223-8061

CERTIFICATE OF SERVICE

I, Syrie D. Fried, do hereby certify that this document has been filed electronically and that it will be served electronically to registered ECF participants as identified on the Notice of Electronic Filing (NEF) on January 20, 2006.

/s/ Syrie D. Fried

Syrie D. Fried